

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF NEW YORK

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4 UNITED STATES OF AMERICA, : 15-CR-252(RJD)

5 Plaintiff , :

6 -against- : United States Courthouse
Brooklyn, New York

7 AARON DAVIDSON, :

8 Defendant. : July 17, 2015
12:30 o'clock p.m.

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11 TRANSCRIPT OF STATUS CONFERENCE
12 BEFORE THE HONORABLE RAYMOND J. DEARIE
UNITED STATES DISTRICT JUDGE.

13 APPEARANCES:

14 For the Government:

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United States Attorney
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AMANDA HECTOR
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19 For the Defendant:

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JENNY R. KRAMER, ESQ.

22 Court Reporter:

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24 Proceedings recorded by mechanical stenography, transcript
25 produced by computer-aided transcription.

1 THE CLERK: We are on this afternoon for a status
2 conference. This is USA versus Aaron Davidson, docket number
3 15-CRIM-252. Mr. Davidson is defendant number 11.

4 Can I ask the attorneys please to note their
5 appearance beginning with counsel for the government?

6 MR. NORRIS: Your Honor, Evan Norris and Amanda
7 Hector, Darren LaVerne and Keith Edelman. Good afternoon.

8 THE COURT: Good afternoon.

9 MR. VARTAN: Good afternoon, Your Honor. Lee Vartan
10 from Holland & Knight on behalf of Mr. Davidson.

11 THE COURT: Good afternoon.

12 MS. KRAMER: Good afternoon, Your Honor. Jenny
13 Kramer from Chadbourne & Parke also on behalf of Mr. Davidson.

14 THE COURT: And Mr. Davidson is --

15 MR. VARTAN: He's present.

16 THE CLERK: Mr. Davidson, I am going to ask you to
17 please come up to the podium right next to your counsel.

18 He has been arraigned, has he not?

19 MR. NORRIS: He has, Your Honor.

20 THE COURT: Let me ask you a question I think I know
21 the answer to. You have a public information officer?

22 MR. NORRIS: Yes, Your Honor.

23 THE COURT: Does everybody know who he or she is?

24 MR. NORRIS: I hope so, but her name is Nellin
25 McIntosh.

1 THE COURT: And a phone number? Because we are
2 getting lots of calls in chambers and although I try to
3 accommodate the members of the press who are under great
4 pressure to write their stories, many of the questions that
5 are put to me we do not have the answers to and I just wanted
6 to make sure that they were aware of the fact that there was a
7 reliable source for information.

8 Okay. Well, I have your letter of yesterday. Does
9 counsel have any comment on it?

10 Mr. Norris purports to write on behalf of all
11 counsel. Is this a fair characterization?

12 MR. VARTAN: It is, Your Honor.

13 THE COURT: And you have begun the process of
14 discovery?

15 MR. NORRIS: Yes, we have, Your Honor.

16 THE COURT: One of the questions we are getting, if
17 I may go off the reservation here for a second, is about
18 Mr. Webb. Are we going to see him any time soon?

19 MR. NORRIS: Your Honor, we are. We don't have a
20 date yet.

21 THE COURT: All right. Is he in the States?

22 MR. NORRIS: He is.

23 THE COURT: He has counsel?

24 MR. NORRIS: Yes.

25 THE COURT: All right. There is not much I can do

1 for you today except address this question of a speedy trial.

2 Are all the other defendants who have been arrested detained?

3 MR. NORRIS: No, Your Honor. The six defendants who
4 remain in Switzerland are all detained.

5 THE COURT: Okay. They are proceeding through
6 extradition?

7 MR. NORRIS: Yes, Your Honor.

8 THE COURT: Any idea as to how long that will take?

9 MR. NORRIS: My understanding is it is completely up
10 to the individual defendant as to how long they litigate their
11 extradition, whether it's at the initial level only or that
12 they appeal in the event of an adverse decision. Certainly, I
13 think if there's extensive litigation, it's safe to say that
14 may take several months, but as in the case of Mr. Webb, if
15 someone were to waive, then they could be here shortly.

16 THE COURT: All right. You have collectively
17 requested a 60 day date which I have no difficulty with.
18 Presumably by that time, we will have perhaps other
19 participants in the proceeding. In the meantime, you can
20 proceed with your discovery.

21 The matter is quite obviously complex according to
22 the government's representation. Discovery is voluminous.
23 Ongoing requests for information are broad and obviously
24 requiring time for mutual legal assistance requests and so
25 forth. The nature of the charges, the nature of the number of

1 schemes that are charged in this 160-page indictment, it sort
2 of speaks for itself. There are any number of reasons as you
3 outline in your letter including victim notification that are
4 going to require time. My biggest concern, of course, is how
5 long we wait for others because at some point, if not this
6 gentleman, somebody is going to insist of their trial and we
7 are going to have to at some point accommodate them. So it is
8 a little early to address that now.

9 Is there anything specifically that I can take up
10 from the defense side?

11 MR. VARTAN: We have nothing at this point.

12 THE COURT: Okay. And this gentleman, bail has been
13 set, all of that has been done, the processing and so forth?

14 MR. NORRIS: Yes, Your Honor.

15 THE COURT: Okay. The date I looked at was the 18th
16 of September, but I don't know if that works for you. You
17 call the shots.

18 It does make the case complex for the reasons I
19 stated and as outlined further specifically in the
20 government's letter and joint request of July 16, 2015.

21 Does that work, Ellen?

22 THE CLERK: Yes. We can put it on for Friday,
23 September 18th, at 11:30.

24 THE COURT: All right. And I will assume in the
25 interim you will be underway with preparation and if between

1 now and then, I can be of service to either party, you will
2 not hesitate to contact Ms. Mulqueen and we will have you in
3 on a moment's notice.

4 MS. KRAMER: We were just going to say, Your Honor,
5 if we may, we have to check but it if that date falls over the
6 Jewish holidays, we may ask that be moved slightly.

7 THE COURT: Just call Ms. Mulqueen.

8 MS. KRAMER: Thank you, Your Honor.

9 MR. NORRIS: Your Honor, just one point on the
10 public information issue you raised. If it would assist the
11 Court, one thing we can do is file a brief letter just making
12 clear the identity of our public information officer and make
13 clear that the press is certainly welcome to contact our
14 office as opposed to the Court for any questions.

15 THE COURT: I appreciate that. I do not mind
16 getting the calls but we cannot answer most of the questions.
17 Some are inappropriate to be put to chambers as you can
18 suspect, but we try to help out with dates and schedules and
19 so forth and we oftentimes just do not have that information.
20 So anything you can do to assist the press and the judge would
21 be most appreciated.

22 MR. NORRIS: Will do.

23 THE COURT: Thank you, folks.

24 MR. VARTAN: Thank you, Your Honor.

25 (Matter concluded.)